AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern	District of	New York

Robert Smith, by his M/N/G Denise Smith, and
Denise Smith, individually

V.

City of New York, James Chiariello (Shield No.
30462), "JOHN" Alesi, et al.

SUMMONS IN A CIVIL ACTION

CASE NUMBER:

08 CV 005

TO: (Name and address of Defendant)

James Chiariello (Shield No. 30462)
c/o NYPD 45 Precinct
2877 Barkley Avenue
Bronx, NY

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Leventhal & Klein, LLP
45 Main Street, Suite 230
Brooklyn, NY 11201

an answer to the complaint which is served on you with this summons, within _____20_____ days after service
of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you
for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the
Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON   JAN 23 2008

CLERK _____   DATE _____

(By) DEPUTY CLERK

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RETURN OF SERVICE

	DATE
Service of the Summons and complaint was made by me[(1)]	2/13/08

NAME OF SERVER (PRINT)	TITLE
Luis Agostini	Process Server

Check one box below to indicate appropriate method of service

☐ Served personally upon the defendant. Place where served: C/O NYPD 45 Precinct 2577 Barkley Avenue Bronx, NY 10465

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left:

☐ Returned unexecuted:

☐ Other (specify): Served upon Cathy Mundy, co-worker to the defendant. F/W/R/57/8'5'8"/140

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL $0.00

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 2/14/08
_____
Date

X _____
Signature of Server

Luis Agostini Lic. #1027732

305 Ford St #9CR Bronx, NY 10457
_____
Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.